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**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	: Brian Taylor Edmonds	)	Conf. No.:
Serial No.	: 09/763,994	)	6826
Filing Date	: February 27, 2001	)	Group Art Unit:
For	: HUMAN LATENT TRANSFORMING FACTOR- $\beta$ BINDING PROTEIN 3	)	1647
Docket No.	: X-12239	)	Examiner:
		)	Romeo, David S.

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.121**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Office Action bearing an original mailing date of February 18, 2004, Applicants enclose herewith the following amendments and remarks that Applicants believe place the application in condition for allowance. Applicants authorize the office to charge the fee for a 2-month extension of time to Deposit Account No. 05-0840 in the name of Eli Lilly and Company.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.  
Remarks begin on page 4 of this paper.

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FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
05   0840	
FEE CODE	VALUE FURNISHED
1252	420.00

Serial No. 09/763,994

members of this genus have the function of binding TGF-beta. Given this limitations, Applicants maintain that the scope of the claims is clear, and respectfully request the Examiner to withdraw this rejection.

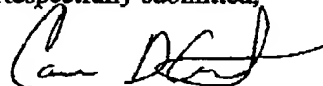
The Pending Claims Meet 35 U.S.C. § 101 Requirements

The Examiner rejected Claims 32-36, and 38 under 35 U.S.C. §101 because the claimed invention is allegedly directed to nonstatutory subject matter. The Examiner suggests amending the claims to "indicate the hand of the inventor" by inserting either "isolated" or "purified." Applicants have amended the claims accordingly, support for which can be found in the specification at Page 14, Line 12. Applicants respectfully request that this rejection be withdrawn.

SUMMARY AND CONCLUSION

In view of the remarks and amendments enclosed and provided herein above, it is respectfully submitted that Examiner's rejections have been overcome. Applicants request reconsideration and withdrawal of the rejections. If Examiner feels that a telephone conversation with Applicants' attorney would be helpful in expediting prosecution of this case, the Examiner is invited to call Applicants' attorney.

Respectfully submitted,



Caren D. Geppert  
Attorney for Applicants  
Registration No. 54,117  
Phone: 317-651-4215

Eli Lilly and Company  
Patent Division  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

July 19, 2004